

1 THE HONORABLE RICHARD A. JONES
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7 UNITED STATES DISTRICT COURT
8 WESTERN DISTRICT OF WASHINGTON
9 AT TACOMA

10 DEBORAH R. BEATON,)
11 Plaintiff,) No. 2:11-cv-00872-RAJ
12 v.)
13) **JOINT STATUS REPORT
14 JP MORGAN CHASE BANK, N.A., et al.,) AND DISCOVERY PLAN
15 Defendant(s),)
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COME NOW Plaintiff Deborah R. Beaton (“Plaintiff” or “Beaton”), *pro se*, and Defendants JP Morgan Chase Bank, N.A. (“Chase”) and Northwest Trustee Services, Inc. (“NWTS”), by and through their respective counsels of record, and hereby submit the following Joint Status Report and Discovery Plan, pursuant to the Court’s Minute Order Regarding Initial Disclosures, Joint Status Report, and Early Settlement, dated July 5, 2011 [Dkt. 21].

1. **A statement of the nature and complexity of case.**

Plaintiff’s Statement: This action centers on allegations of fraudulent foreclosure, and presents a constitutional challenge to the Deed of Trust Act. Plaintiff Deborah R. Beaton anticipates amending her complaint to add causes of action for securities violations.

JOINT STATUS REPORT
AND DISCOVERY PLAN - 1

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DEBORAH R BEATON, PRO SE
31431 SW 46th Pl.
Federal Way, WA 98023

1 **Defendants' Statement:** Plaintiff seeks declaratory relief, temporary, and permanent
2 injunction to defeat Defendants' nonjudicial foreclosure proceedings against Plaintiff's real
3 property, due to Plaintiff's default. Plaintiff appears to claim Defendants unlawfully
4 commenced foreclosure proceedings of a fraudulent loan obligation secured by an invalid
5 Deed of Trust, or one in which the beneficial interest was not appropriately transferred.

6 **2. A statement of which ADR method should be used.** Deborah R. Beaton will
7 not agree to participate in alternative dispute resolution. Defendants are willing to participate
8 in either mediation or a voluntary settlement conference.

9 **3. A statement of when mediation or another ADR proceeding under Local**
10 **Rule CR 39 should take place.** Plaintiff believes this is not applicable. Defendants are
11 willing to participate in either mediation or a voluntary settlement conference after discovery
12 is undertaken and dispositive motions are determined.

13 **4. A proposed deadline for joining additional parties.** The parties agree that
14 additional parties must be added by October 31, 2011.

15 **5. A proposed discovery plan.**

16 (a). The FRCP 26(f) conference took place on various dates from July 21,
17 2011, through August 3, 2011, via email, due to the parties' limited availability to personally
18 confer.

19 (b). Deborah R. Beaton has described the areas in which she will require
20 discovery in her "Proposed Plan for Discovery and Depositions." Ms. Beaton believes
21 discovery should proceed in three phases.

22 Phase I is a request for production of documents from Ms. Beaton's "Proposed
23 Plan for Discovery and Depositions."

24 Phase II are interrogatories of Ms. Beaton's "Proposed Plan for Discovery and
25 Depositions."

1 Phase III are admissions, of Ms. Beaton's "Proposed Plan for Discovery and
2 Depositions."

3 Defendants believe written and deposition discovery may be necessary concerning the
4 allegations of Plaintiff's Complaint and the substantive and affirmative defenses. Defendants
5 anticipate depositions of the parties, in compliance with the guidelines set forth in the Local
6 Rules and the Federal Rules of Civil Procedure.

7 (c) No changes should be made on the limitations on discovery imposed under
8 the Federal and Local Civil Rules.

9 (d) The parties agree to participate in discovery in good faith so as to
10 minimize expense.

11 (e) One or more parties may request a protective order depending upon the
12 scope of the discovery requests. The parties do not believe any other orders need to be
13 entered by the Court at this time.

14 6. The date by which the remainder of discovery can be completed. The
15 parties believe that discovery may be completed by December 30, 2011. .

16 7. Consent to assignment of a full-time United States Magistrate Judge. The
17 parties will not consent to assignment of a United States Magistrate Judge.

18 8. Bifurcation. The parties see no need for bifurcation at this point, but reserve
19 the right to move for bifurcation.

20 9. Dispensing of Pretrial Statements and Pretrial Orders. Ms. Beaton is
21 willing to dispense with pretrial statements and pretrial orders. Defendants do not believe
22 pretrial statements and pretrial orders should be dispensed with.

23 10. Suggestions for shortening or simplifying the case. None. Ms. Beaton is
24 working on and will make an offer of early settlement, which is her suggestion for shortening
25 or simplifying the case

1 11. **Date case will be ready for trial.** The parties believe that the case will be
2 ready for trial April 1, 2012.

3 12. **Jury or Non-Jury Trial.** Ms. Beaton demands a jury trial. Defendants
4 challenge Plaintiff's right to trial by jury.

5 13. **Number of Days Required for Trial.** The parties estimate trial will require
6 two to three days.

7 14. **The names, addresses, telephone numbers, and email addresses of all trial
8 counsel.**

9 **Plaintiff, Pro Se:**

10 Deborah R Beaton, *Pro Se*
11 31431 SW 46th Pl.
12 Federal Way, WA 98023
13 drheab@comcast.net
14 dbeaton@highlinemedical.org
15 509-499-1607

16 **Defendant Chase:**

17 David A. Weibel, WSBA # 24031
18 Barbara L. Bollero, WSBA #28906
19 BISHOP, WHITE, MARSHALL & WEIBEL, P.S.
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21 Seattle, WA 98101-1801
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25 **Defendant NWTS:**

26 Heidi E. Buck, WSBA #41769
27 ROUTH CRABTREE OLSEN, P.S.
28 13555 SE 36th St Suite 300
29 Bellevue WA 98006
30 hbuck@rcolegal.com
31 425-458-2121

32 15. **Service of process issues.** Not applicable.

33 16. **Dates on which trial counsel may have scheduling conflicts.** The parties

34 have no known scheduling conflicts at this time.

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DEBORAH R BEATON, PRO SE
31431 SW 46th Pl.
Federal Way, WA 98023

1 DATED: August 3, 2011

DEBORAH R. BEATON

Debora R. Pesta

~~Plaintiff, Pro Se~~

DATED: August 2, 2011

BISHOP, WHITE, MARSHALL
& WEIBEL, P.S.

By: Barbara L. Bollero
Barbara L. Bollero, WSBA #28906
Attorney for Defendant JP MORGAN
CHASE BANK, N.A.

DATED: August 9, 2011

ROUTH CRABTREE OLSEN, P.S.

By: Heidi E. Buck
Heidi E. Buck, WSBA #41769
Attorney for Defendant NORTHWEST
TRUSTEE SERVICES, INC.

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